

February 4, 2006

To: Nicole M. Kierzek, Deputy Clerk

Subject: Your Correspondence dated Jan. 31, 2006

Re: Civil Action No. 99-192 Frie

Dear Ms. Kierzek:

I am in receipt of your correspondence regarding subpoenas which have been issued for two of the witnesses I requested to be present for my upcoming trial which is scheduled to begin on March 13, 2006, before the Honorable Sean J. McLaughlin.

However, I did not request to have John Dijulio to provide testimony in my case, nor do I even know who he is and/or if he was present at SCI-Greene on the day of the incident in question? I did request that Inmate Bradley, (first name unknown) to testify on my behalf, as well as Captain Peach, who is a corrections officer at SCI-Greene. Unfortunately, defendants counsel have failed to provide a list of all inmates who were assigned to FP-Pod on February 25, 1999, as requested. This severely hinders me from being able to provide a complete list of the witnesses who actually witnessed the assault by corrections officers against me.

Furthermore, I requested Mr. Karavich, who is counsel for the defendants to provide to me the name of the person authorized to offer settlement in the case? He has refuse to provide same. Counsel had also refused to provide insurance coverage and policy data for each of the three (3) defendants?

Your assistance in this regard is appreciated. I am in the process of preparing voir dire questions, as well as information that I wish to include in their jury charge/stipulations to be presented.

Lastly, as I have voiced my concerns earlier at the status

conference dated November 30, 2005. I want to again mention that defendant Wilkes (wife) is the Deputy Superintendent at SCI-Albion. During my previous transfer to that facility in preparation for trial which was initially scheduled for December 2003, I was denied by prison officials the opportunity to even confer with my witnesses, or to utilize the prison law library. Furthermore, one of my proposed witnesses was threatened and subsequently assaulted during our stay at SCI-Albion.

Therefore, I am respectfully requesting that arrangements be made in advance to insure that I am not transferred to that particular facility prior to trial. In the alternative, I will submit a Temporary Restraining Order from the Court as I am in fear for my life and safety if transferred to SCI-Albion, based on previous retaliations as mentioned above.

Thank you for your time and cooperation, and I look forward to your written response from Judge McLaughlin.

Terry Smith yours,



Robert Richmond
Plaintiff, Pro se

cc: file

... Craig Macavich